

Senate Amendment 5176

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1 1 Amend Senate File 2356 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 622.31 EVIDENCE OF
1 5 REGRET OR SORROW.
1 6 In any civil action for professional negligence,
1 7 personal injury, or wrongful death or in any
1 8 arbitration proceeding for professional negligence,
1 9 personal injury, or wrongful death against a person in
1 10 a profession represented by the examining boards
1 11 listed in section 272C.1 and any other licensed
1 12 profession recognized in this state, a hospital
1 13 licensed pursuant to chapter 135B, or a health care
1 14 facility licensed pursuant to chapter 135C, based upon
1 15 the alleged negligence in the practice of that
1 16 profession or occupation, any portion of a statement,
1 17 affirmation, gesture, or conduct expressing sorrow,
1 18 sympathy, commiseration, condolence, compassion, or a
1 19 general sense of benevolence that was made by the
1 20 person to the plaintiff, relative of the plaintiff, or
1 21 decision maker for the plaintiff that relates to the
1 22 discomfort, pain, suffering, injury, or death of the
1 23 plaintiff as a result of an alleged breach of the
1 24 applicable standard of care is inadmissible as
1 25 evidence of an admission of liability or as evidence
1 26 of an admission against interest.>
1 27 #2. Title page, by striking lines 1 and 2 and
1 28 inserting the following: <An Act relating to civil
1 29 actions for personal injury or death, including
1 30 certain evidentiary requirements.>
1 31 #3. By renumbering as necessary.
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1 35 KEITH A. KREIMAN
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